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JUL 11 2003TERMINAL DISCLAIMER TO OBLIVIATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT DISCLAIMER

Docket Number 81607-1042 7/22/2003

DISAPPROVED

REC

In re Application of: **Thomas D. Petite** *Not attorney of record*  
Application No. **09/817,809** *JUL 22 2003*  
*wrong serial No.*

JUL 22 2003

Filed: **3/20/01** TECHNOLOGY CENTER 2800  
SPECIAL PROGRAM CENTEROFFICE OF THE SPECIAL  
PROGRAMS EXAMINERFor: **SYSTEM AND METHOD FOR MONITORING THE LIGHT LEVEL IN A LIGHTED AREA**

The owner\*, Thomas D. Petite of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,028,522. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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1.  For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

2.  The undersigned is an attorney or agent of record.

*Adam E. Crall*  
Adam E. Crall, Reg. No. 46,646  
Type or Printed Name

7.08.2003

Date

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Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP §324.

*RENEE PRESTON*  
RENEE PRESTON  
PARALEGAL SPECIALIST  
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